

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF  
WASHINGTON AT TACOMA

KEVIN SELKOWITZ, and individual,

Plaintiff,

v.

LITTON LOAN SERVICING, LP, a Delaware  
Limited Partnership; NEW CENTURY  
MORTGAGE CORPORATION, a California  
corporation; QUALITY LOAN SERVICE  
CORPORATION OF WASHINGTON, a  
Washington Corporation; FIRST AMERICAN  
TITLE INSURANCE COMPANY, a  
Washington Corporation; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC., a Delaware Corporation; DOE  
DEFENDANTS 1-20,

Defendants.

No. 3:10-cv-05523-JCC

**NOTICE OF JOINDER IN  
DEFENDANTS LITTON AND  
MERS' RESPONSE TO THE  
COURT'S ORDER TO SHOW  
CAUSE BY DEFENDANT  
QUALITY LOAN SERVICE  
CORPORATION OF  
WASHINGTON**

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

COMES NOW Defendant Quality Loan Service Corporation of Washington ("QUALITY")  
hereby submitting the following Notice of Joinder in Defendants LITTON LOAN SERVICING,  
LP ("LITTON") and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
("MERS")' Response to this Court's Order to Show Cause entered on October 6, 2010.

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1           1.     On October 27, 2010, Defendants LITTON and MERS filed a Response to this  
2 Court's Order to Show to Cause entered on October 6, 2010.

3           2.     Said Response appears on this Court's Docket as Document Number 30.

4           3.     For the sake of brevity and judicial economy, QUALITY hereby joins in each and  
5 every one of the arguments set forth by Defendants LITTON and MERS via Document Number  
6 30 in full, as it has nothing new or further to add.

7           4.     Document Number 30 as submitted by LITTON and MERS presents the position  
8 of QUALITY in full and represents a complete response by QUALITY to this Court's Order to  
9 Show Cause entered on October 6, 2010.

10          5.     Pursuant to the arguments presented in Defendants LITTON and MERS'  
11 Response to this Court's Order to Show Cause entered on October 6, 2010, Document Number  
12 30, MERS may act as a beneficiary and nominee to the lender under a deed of trust in the state of  
13 Washington. Accordingly, MERS may properly appoint a successor trustee. Thus, in the instant  
14 case, when MERS appointed QUALITY as the Successor Trustee under the Deed of Trust it did  
15 so pursuant to and in accordance with Washington law.

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1           6.     The questions presented in this Court's Order to Show Cause entered on October  
2 6, 2010, have been met with ample support in Washington law as stated in Defendants LITTON  
3 and MERS' Response to this Court's Order to Show Cause, Document Number 30. Therefore,  
4 certification of said questions to the Washington Supreme Court is both unnecessary and  
5 unwarranted.

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8 DATED this 27<sup>th</sup> day of October, 2010.

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10 **MCARTHY & HOLTHUS, LLP**

11 By: /s/ Mary Stearns  
12 Mary Stearns, WSBA #42543  
13 Attorneys for Defendant Quality Loan  
14 Service of Washington  
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## CERTIFICATE OF SERVICE

I certify that on October 27, 2010, I served a copy of the foregoing document in the manner specified on the following:

Richard Llewelyn Jones 2050 112 <sup>th</sup> Ave NE, Ste. 230 Bellevue, WA 98004	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Electronic Mail (via e-filing) <input type="checkbox"/> Facsimile <input type="checkbox"/> Process Server <input type="checkbox"/> Federal Express (overnight)
Heidi E. Buck Routh, Crabtree & Olsen 13555 SE 36 <sup>th</sup> Street, Ste. 300 Bellevue, WA 98006	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Electronic Mail (via e-filing) <input type="checkbox"/> Facsimile <input type="checkbox"/> Process Server <input type="checkbox"/> Federal Express (overnight)
Ann T. Marshall Bishop, White, Marshall & Weibel, PS 720 Olive Way, Ste. 1301 Seattle, WA 98101	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Electronic Mail (via e-filing) <input type="checkbox"/> Facsimile <input type="checkbox"/> Process Server <input type="checkbox"/> Federal Express (overnight)
Kennard M. Goodman Bishop, White, Marshall & Weibel, PS 720 Olive Way, Ste. 1301 Seattle, WA 98101	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Electronic Mail (via e-filing) <input type="checkbox"/> Facsimile <input type="checkbox"/> Process Server <input type="checkbox"/> Federal Express (overnight)

I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct and that this Declaration was executed in Poulsbo, Washington.

Dated: October 27, 2010



Melissa Rice, Legal Assistant  
McCarthy & Holthus, LLP